## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: de Jong *et al.*
Serial No.: 10/086,745
Conf. No.: 8781
Cust. No.: 24961
Filed: February 28, 2002
For: *METHODS FOR DELIVERING NUCLEIC ACID MOLECULES INTO CELLS AND ASSESSMENT THEREOF*
Art Unit: 1636
Examiner: Unassigned


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I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and addressed to:

Commissioner for Patents,
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P.O. Box 2327
Arlington, VA 22202

08/06/03
Date

Michael Lough

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98

Commissioner for Patents
U.S. Patent and Trademark Office
P. O. Box 2327
Arlington, VA 22202

Dear Sir:

Since this Supplemental Information Disclosure Statement is filed before receipt of a first Office Action on the merits for the above-captioned application, no fee is due. If it is determined that a fee is due, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (3 pages) is provided herewith in connection with the above-captioned application. The cited documents listed on Form PTO-1449 and marked with an asterisk are not provided herewith as they have been previously provided in connection with U.S. Serial No. 09/815,981, which is relied upon for an earlier filing date in accordance with 35 U.S.C. §120.

The documents listed on the Form PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Applicant also makes known to the Examiner the following U.S. application, which is commonly owned and/or has one or more inventors in common in the instant application:

| U.S.S.N. | Filing Date | Docket No. |
|---|---|---|
| 10/428,653 | 05/01/03 | 24601-426 |

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

* * *

Applicant respectfully requests that the Examiner review the foregoing references and information and that they be made of record in the file history of the above-captioned application.

Respectfully submitted,
HELLER EHRMAN WHITE & MCAULIFFE LLP

By: _____
Stephanie L. Seidman
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| FORM PTO-1449 | ATTY. DOCKET NO. 24601-416C | SERIAL NO. 10/086,745 | CONFIRM NO. 8781 |
|---|---|---|---|
| LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT | APPLICANT de Jong et al. | CUSTOMER NO. 24961 | |
| | FILING DATE February 28, 2002 | GROUP 1636 | |

* If an asterisk is placed beside the reference number, a copy is NOT provided because the reference was previously cited by or submitted to the PTO in a prior application that is identified in the statement and relied upon for an earlier filing date under 35 U.S.C. 120. 37 C.F.R. § 1.98(d).

+ Derwent English language abstract and/or English translation provided.

## U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | *Ref. Code | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE |
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## FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | *Ref. Code | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | Translation Yes | Translation No |
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Title: **METHODS FOR DELIVERING NUCLEIC ACID MOLECULES INTO CELLS AND ASSESSMENT THEREOF**

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## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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